

United States District Court

WESTERN DISTRICT OF WASHINGTON

Gregory Tyree Brown,

v.

Devon Schrum et al,

JUDGMENT IN A CIVIL CASE

CASE NUMBER: C08-5326RBL-JRC

___ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

1. The Court adopts the Report and Recommendation;
2. Defendant Hotep was never served. Plaintiff has failed to show good cause for this failure of service. The claim against this Defendant is DISMISSED WITHOUT PREJUDICE.
3. The remaining Defendants who were served are entitled to summary judgment as they were not deliberately indifferent to a serious medical need given the facts present to them.

September 18, 2009

BRUCE RIFKIN

Clerk

/s/ Jennie L. Patton

By, Deputy Clerk